

# Exhibit B

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

STUDENTS FOR FAIR ADMISSIONS,  
INC.

*Plaintiff,*

v.

UNIVERSITY OF TEXAS AT AUSTIN,  
ET AL.,

*Defendants.*

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Civil Action No. 1:20-cv-00763-RP

**DEFENDANTS' FIRST AMENDED NOTICE OF INTENT TO TAKE THE ORAL  
AND VIDEOTAPED DEPOSITION OF THE CORPORATE REPRESENTATIVE OF  
STUDENTS FOR FAIR ADMISSIONS, INC.**

To: Plaintiff, by and through counsel of record: William S. Consovoy, J. Michael Connolly, Cameron T. Norris, Steven C. Begakis, Consovoy McCarthy PLLC, 1600 Wilson Boulevard, Suite 700, Arlington, Virginia 22209.

Intervenors, by and through counsel of record: Brian C. Pidcock, Hunton Andrews Kurth LLP, 600 Travis St., Houston, TX 77002; David Hinojosa, Genevieve Bonadies Torres, Lawyers' Committee for Civil Rights Under Law, 1500 K Street, NW, Suite 900 Washington, DC 20005; Ryan P. Phair, Carter C. Simpson, Hunton Andrews Kurth LLP, 2200 Pennsylvania Avenue, NW, Washington, D.C. 20037; Alan R. Kabat, Bernabei & Kabat, PLLC, 1400 - 16th Street, N.W., Suite 500, Washington, D.C. 20036-2223.

Pursuant to Rule 30 of the Federal Rules of Civil Procedure, Defendants give notice that they will take the oral deposition of the Corporate Representative(s) of Students for Fair Admissions, Inc.

The deposition will begin at 9:30 a.m. on February 17, 2021 and continue from day-to-day until completed.

The deposition will take place via remote means, as authorized by Fed. R. Civ. P. 30(b)(4). Counsel for Plaintiff, Defendants, and Intervenors have stipulated to conducting depositions by videoconference. For depositions by remote means, the "deposition takes place where the deponent answers the questions." Fed. R. Civ. P. 30(b)(4). The deposition will be taken before an officer authorized to administer oaths under the laws of Texas. Fed. R. Civ. P. 28(a)(1)(A).

Pursuant to Fed. R. Civ. P. 30(b)(6), Deponent must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on behalf of Deponent, with respect to all matters listed in the attached Exhibit A. Such designated person(s) must testify about information known or reasonable available to Deponent. Deponent is requested to make such designation(s) a reasonable time before the deposition, and not less than five days before the deposition.

The deposition will be reported by a certified court reporter or other person qualified to administer oaths to be used as testimony at the trial of the above matter. The deposition may be videotaped and will be recorded by stenographic means.

DATED: February 2, 2021.

Respectfully Submitted,

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By: /s/ Matthew C. Powers  
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**ATTORNEYS FOR DEFENDANTS**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and complete copy of the foregoing has been served on the counsel of record shown below on this the 2nd day of February 2021:

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**ATTORNEYS FOR INTERVENORS**

/s/ Matthew C. Powers  
Matthew C. Powers

**EXHIBIT A**

**DEPOSITION TOPICS**

1. SFFA's formation and organizational documents, including but not limited to any articles of incorporation, bylaws, manuals, rules or procedures, including any amendments.
2. SFFA's organizational structure, including without limitation its past and present relationships to parent, subsidiary, or other affiliate corporations or organizations, as well as all of its corporate locations, offices, and facilities, including any organizational charts.
3. Meetings of SFFA's Board of Directors, leadership, and/or membership.
4. The composition of SFFA's Board of Directors, leadership, and membership.
5. The responsibilities, activities, and authority of SFFA's officers, directors, and any employees.
6. The responsibilities, activities, and authority of SFFA's members.
7. SFFA's funding sources and operating budget and expenditures, both generally and specifically with respect to the present lawsuit and prior suits against UT.
8. The relationship and communications between SFFA and the Project on Fair Representation.
9. The role SFFA and/or the Project on Fair Representation played in directing or funding any of the litigation activity in *Fisher v. University of Texas*.
10. SFFA's mission and its activities, including each of its past, current, or future lawsuits.
11. The basis for any claim that any individual member of SFFA has or would have standing to raise the challenges asserted by SFFA in the present lawsuit.
12. The requirements to become a member of SFFA.
13. SFFA's finances, including but not limited to bank statements, financial statements, past and projected sources of revenue and expenditures, forecasts, and budgets.
14. SFFA's identification, recruitment, and selection of members and potential members.
15. Communications between SFFA's directors, officers, or employees, on the one hand, and its members, on the other hand.

16. Communications between SFFA, the Project on Fair Representation, or Blum, on the one hand, and Abigail Fisher, on the other hand, regarding the *Fisher v University of Texas* litigation from 2008 to 2016.
17. The participation by non-lawyers, including all current or former SFFA members, in the decision to file the present lawsuit.
18. The approximate date that the identified “standing members” joined SFFA, and the circumstances surrounding their joining.
19. Any communications between SFFA and UT.
20. Access to the identity or contact information of SFFA’s members.
21. SFFA’s responses to Defendants’ document requests and interrogatories in this lawsuit.